

N00210.AR.001254
NSTC GREAT LAKES, IL
5090.3a

LETTER AND COMMENTS FROM ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
LEAKING UNDERGROUND STORAGE TANK (UST) TECHNICAL FILE AND SUPERFUND
TECHNICAL FILE BUILDING 65H NS GREAT LAKES IL
11/17/2011
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

(217) 524-1655
(FAX) 782-3258

November 17, 2011

Engineering Field Activity, Midwest
Attn: Mr. Howard Hickey
Building 1A, Code 931
201 Decatur Avenue
Great Lakes, Illinois 60088-5600

CERTIFIED MAIL

7007 2560 0003 2093 4958

Re: LPC # 0971255004 -- Lake County
Naval Station Great Lakes, Building 68H
Naval Station Great Lakes
Leaking UST Incident No. 991563-- NFR Letter
Leaking UST Technical File / Superfund Technical File (0971255048)

Dear Mr. Hickey:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report, UST Site 11, Building 68H, Great Lakes Naval Training Center, Great Lakes, Illinois submitted for the above-referenced incident. This information was dated August 2011 and was received by the Illinois EPA on September 28, 2011. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.

Based upon the certification by Harold J. Farchmin, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760
Elgin • 595 S. State, Elgin, IL 60123 • (847) 606-1131
Bureau of Land -- Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462
Collinsville • 2000 Main Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60018 • (647) 294-4000
Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463
Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5900
Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

1. United States Department of the Navy, Naval Station, Great Lakes, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, an accurate and official copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

- i. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were

established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.

2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation:

The site must be limited to an Industrial/Commercial land use.

3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted there under.

Preventive, Engineering, and Institutional Controls

4. Preventive: Potable use of groundwater on Naval Station, Great Lakes is prohibited.

Engineering: The engineered barrier composed of a concrete slab, concrete sidewalks, asphalt roads, and asphalt parking lots must be maintained.

Institutional: Current and future use of the site must remain Industrial/Commercial.

This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.

5. Due to the Navy's use of the above-cited controls for closure of this Leaking UST Incident, this site must be listed in Appendix A of the already enacted Naval Station, Great Lakes' Land Use Control Memorandum of Agreement (LUCMOA) with the Illinois Environmental Protection Agency. The Preventive, Engineering, and Institutional Controls listed above must also be documented in a Land Use Control Implementation Plan (LUCIP) for this site, or equivalent, and said LUCIP must be appended to Appendix B of the LUCMOA.

Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan, if applicable, may result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:
 - a. Any violation of institutional controls or industrial/commercial land use restrictions;
 - b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c. The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
 - d. The failure to comply with the recording requirements for the Letter;
 - e. Obtaining the Letter by fraud or misrepresentation; or
 - f. Subsequent discovery of contaminants not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

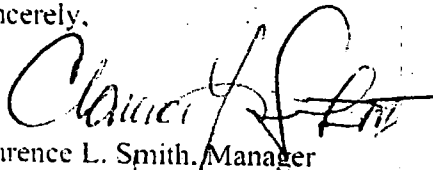
Page 5

Submit two certified copies of this letter, as recorded, one to Brian A. Conrath, State Remedial Project Manager for Naval Station Great Lakes, and the second to:

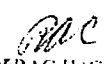
Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA Project Manager, Brian A. Conrath, at 217-557-8155.

Sincerely,



Clarence L. Smith, Manager
Federal Site Remedial Section
Division of Remediation Management
Bureau of Land


BAC:06RAC:HEGLNTO:LUSTR:B68H2011NFR

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: Tom Henninger, Leaking UST
Owen Thompson, USEPA

PREPARED BY:

Name: Mr. Howard Hickey
United States Department of the Navy

Address: Naval Station Great Lakes
Environmental Department
Building 1A, 201 Decatur Avenue
Great Lakes, Illinois 60088-5600

RETURN TO:

Name: Mr. Howard Hickey
United States Department of the Navy

Address: Naval Station Great Lakes
Environmental Department
Building 1A, 201 Decatur Avenue
Great Lakes, Illinois 60088-5600

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF LAKE COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA Number: 0971255004

Leaking UST Incident No.: 991563

Department of the Navy, Naval Station, Great Lakes, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 201 Decatur Avenue, Naval Station Great Lakes, Illinois 60088-5600, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: Building 68H. See Site Base Map. Ground Satellite Coordinates: North 42.18.295° by West 87.50.284°
2. Common Address: 301A Sixth Street, Great Lakes Naval Training Center, Great Lakes, IL 60088
3. Real Estate Tax Index/Parcel Index Number: 12-09-100-003
4. Site Owner: United States Department of the Navy, Naval Station, Great Lakes
5. Land Use Limitation: Industrial/Commercial only.
6. See the attached No Further Remediation Letter for other terms.

BAC

Attachments: Naval Station Great Lakes Base Map with Building 68H Location Shown
Building 68H Site Map Showing Location of the Land Use Control Boundary

Leaking Underground Storage Tank Environmental Notice

